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TRANSMITTAL FORM

(Use for all correspondence after initial filing)



STEVEN A. WHITING, JR.

| | |
|------------------------|--------------------------|
| Application Number | 10/592,953 ✓ |
| Filing Date | 03/01/2007 |
| First Named Inventor | Eiji NOGAMI |
| Group Art Unit | 1619 |
| Examiner Name | LEA, CHRISTOPHER RAYMOND |
| Attorney Docket Number | 24-038-TN |

ENCLOSURES (check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment / Response
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition Routing Slip (PTO/SB/69) and Accompanying Petition
 To Convert a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Small Entity Statement
 Request of Refund

- After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Additional Enclosure(s) (please identify below):

Form PTO-1449-PLG [listing 2 references and 2 U.S. Patent Office Communications]

Copy each of 2 foreign references

Copy of 2 U.S. Patent Office communication dated June 1, 2009 and June 23, 2009

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | David G. Posz (Reg. No. 37,701) Posz Law Group, PLC |
| Signature | |
| Date | July 9, 2009 |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/8/2004.

pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2009

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **180**

| <i>Complete if known</i> | |
|--------------------------|--------------------------|
| Application Number | 10/592,953 |
| Filing Date | 03/01/2007 |
| First Named Inventor | Eiji NOGAMI |
| Examiner Name | LEA, CHRISTOPHER RAYMOND |
| Art Unit | 1619 |
| Attorney Docket No. | 24-038-TN |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify):

Deposit Account Deposit Account Number: **50-1147** Deposit Account Name: **Posz Law Group, PLC**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charges fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEES CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|--------------|----------|--------------|----------|------------------|----------|----------------|
| | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | |
| Utility | 330 | 165 | 540 | 270 | 220 | 110 | |
| Design | 220 | 110 | 100 | 50 | 140 | 70 | |
| Plant | 220 | 110 | 330 | 165 | 170 | 85 | |
| Reissue | 330 | 165 | 540 | 270 | 650 | 325 | |
| Provisional | 220 | 110 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

| Small Entity | |
|--------------|----------|
| Fee (\$) | Fee (\$) |
| 52 | 26 |
| 220 | 110 |
| 390 | 195 |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | | Fee Paid (\$) |
|--|--------------|----------|----------|---------------|---------------------------|----------|----------------|
| | - 20 or HP = | x \$52 | | | \$0 | Fee (\$) | |
| HP = highest number of total claims paid for, if greater than 20 | | | | | | | |
| Indep. Claims | Extra Claims | Fee (\$) | | Fee Paid (\$) | | | \$390 \$0 |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41 (a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|--------------------------------|---------------|
| - 100 = | 0 | /50 = | (round up to a whole number) x | = \$0 |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement Fee pursuant to 37 CFR 1.17(p)

\$180

SUBMITTED BY

| | | | | | |
|-------------------|---|--------------------------------------|--------|-----------|----------------|
| Signature |  | Registration No. (Attorney/Agent) | 37,701 | Telephone | (703) 707-9110 |
| Name (Print/Type) | DAVID G. POSZ | | | Date | July 9, 2009 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): NOGAMI

Serial No.: 10/592,953

Filed: 03/01/2007

Title: METHOD OF PRODUCING A
PHARMACEUTICAL
COMPOSITION



Atty. Dkt.: 24-038-TN

Group Art Unit: 1619

Examiner: LEA, CHRISTOPHER PAYMOND

Commissioner for Patents
Alexandria, VA 22314

Date: July 9, 2009

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, the reference(s) listed on the attached Form PTO-1449 is/are being brought to the attention of the Examiner without any admission that it/they constitute(s) statutory prior art, or without any admission that it/they contain(s) subject matter that anticipates the invention or renders the invention obvious to a person of ordinary skill in the art.

Further, pursuant to 37 C.F.R. §1.97(e)(2), the undersigned hereby certifies that each listed reference was not cited in a communication from a foreign patent office in connection with a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

The Examiner is requested to initial the attached PTO Form-1449 and return a copy of same to the undersigned attorney as proof that the listed reference(s) has/have been considered and made of record.

As a Final Office Action on the merits has been mailed in the above identified application on March 15, 2007, the fee due under 37 CFR 1.17(p) is enclosed. Please charge any additional fee to Applicant's attorney's Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D G Posz".

David G. Posz
Reg. No. 37,701

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